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*Counsel for Plaintiffs*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANSISCO**

IN RE: UBER TECHNOLOGIES, INC.,  
PASSENGER SEXUAL ASSAULT  
LITIGATION

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This Document Relates to:

*A.P. v. Uber Technologies, Inc. et al., No. 3:25-cv-02105-CRB*

*Arpitkumar Patel v. Uber Technologies, Inc., et al; No. 3:25-cv-05287-CRB*

*Jane Doe L.S. 618 v. Uber Technologies, Inc. et al., No.3:25-cv-06160-CRB*

*K.L. v. Uber Technologies, Inc., et al; 3:25-cv-06178-CRB*

Case No.: 3:23-md-03084-CRB

Hon. Charles R. Breyer

## **PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO DISMISS DUPLICATE CASES**

Date: December 12, 2025

| Time: 10:00 a.m.

Courtroom: 6 – 17<sup>th</sup> Floor

## 1. INTRODUCTION

On October 14, 2025, Defendants filed a Motion to Dismiss the claims of the above-

1 listed Plaintiffs on the grounds that Plaintiffs have two duplicative actions in this multidistrict  
 2 litigation. [Document 4145]. Regarding the two cases represented by Peiffer Wolf Carr Kane  
 3 Conway & Wise, the dual representation issues have been cured and therefore Uber's motion  
 4 to dismiss should be denied

5 **II. STATEMENT OF FACTS**

6 **A. Patel**

7 On February 28, 2025, Peiffer Wolf Carr Kane Conway & Wise filed a complaint on  
 8 behalf of Plaintiff A.P. alleging sexual assault or harassment by an Uber driver in New Jersey  
 9 on June 27, 2023. *Complaint, A.P. v. Uber Technologies, Inc. et al., No. 3:25-cv-02105-CRB,*  
 10 *ECF No. 1* (N.D. Cal. Feb. 28, 2025). Plaintiff A.P. filed a second complaint relating to the  
 11 same incident on June 27, 2025, through the Ben Martin Law Group and abandoning the  
 12 pseudonym. *Patel v. Uber Technologies, Inc. et al., No. 3:25-cv-05287-CRB, ECF No. 1*  
 13 (N.D. Cal. June 27, 2025).

14 Peiffer Wolf and Ben Martin Law Group have resolved this dual representation issue.  
 15 Peiffer Wolf will continue their case filed on behalf of Plaintiff A.P., and Ben Martin Law  
 16 Group has agreed to dismiss their case.

17 **B. K.L.**

18 On July 22, 2025, Plaintiff Jane Doe LS 618, through counsel at Levin Simes, LLP,  
 19 filed a complaint alleging a driver on the Uber platform sexually assaulted or harassed her in  
 20 Dallas, Texas, on July 29, 2023. *Complaint, Jane Doe L.S. 618 v. Uber Technologies, Inc. et*  
 21 *al., No. 3:25-cv-06160-CRB, ECF No. 1* (N.D. Cal. July 22, 2025). On July 23, 2025, Plaintiff  
 22 filed a second complaint relating to the same incident under a different pseudonym through  
 23 counsel at Peiffer Wolf Carr Kane Conway & Wise. *Complaint, K.L. v. Uber Technologies,*  
 24 *Inc. et al., No. 3:25-cv-06178-CRB, ECF No. 1* (N.D. Cal. July 23, 2025).

25 Peiffer Wolf and Levin Simes have resolved this dual representation issue. Levin  
 26 Simes will continue their case filed on behalf of this Plaintiff, and Peiffer Wolf intends to  
 27

dismiss their case.

### III. ARGUMENT

Plaintiffs in mass tort litigations unfortunately may get confused and hire a different law firm than the one that they originally contacted for representation. An individual might sign with one firm and then sign with a second firm, mistakenly believing it is the same law firm. This is not uncommon in large mass tort litigations. Plaintiffs A.P. and K.L. mistakenly signed contracts for representation with two different law firms, resulting in duplicative complaints being filed. However, this was not intentional and there was no bad faith. Plaintiffs have rectified the dual filing issues, and Uber's motion for dismissal is moot.

Further, Uber's request for sanctions is procedurally improper. A motion for sanctions must be brought on motion after notice to the opposing party. Fed. R. Civ. P. 37; N.D. Cal. Civ. L.R. 7-2, 7-8. Because Uber fails to satisfy this threshold procedural requirement its request should be denied.

Additionally, Uber’s request for sanctions is meritless. Uber cites to cases where sanctions were awarded for clear litigation abuses or bad faith conduct. *See Evon v. Law Offices of Sidney Mickell*, 688 F.3d 1015, 1035 (9th Cir. 2012); *Burris v. JPMorgan Chase & Co.*, No. 21-16852, 2024 WL 1672263, at \*3 (9th Cir. 2024). Here, there was no litigation abuse or bad faith conduct. Plaintiffs mistakenly contracted with two different law firms and promptly cured the dual case filings.

### III. CONCLUSION

For the foregoing reasons, Plaintiffs respectfully request that the Court deny Defendants' Motion to Dismiss.

1 Dated: October 28, 2025

Respectfully Submitted by:

2 /s/ Rachel Abrams

3 Rachel B. Abrams (Bar #209316)  
4 Adam B. Wolf (Cal Bar No. 215914)  
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2  
3                   **CERTIFICATE OF SERVICE**  
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5                   I hereby certify that, on, October 28, 2025, I electronically filed the following with the  
6 Clerk of the Court using the CM/ECF System, which will send notification of such filing via  
7 electronic mail to all counsel of record as maintained in the CM/ECF electronic system.  
8

9                   Dated: October 28, 2025

Respectfully Submitted by:

10                   */s/ Rachel Abrams*

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